

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

NO. 12-CR-20372

vs.

HON. JOHN CORBETT O'MEARA

D-13 LAMAR COODY,

Defendant.

SENTENCING MEMORANDUM OF THE UNITED STATES

The United States of America, through the undersigned Assistant United States Attorney, submits the following as its Sentencing Memorandum in the case of defendant Lamar Coody:

While a sworn police officer, the Defendant leaked confidential and sensitive law enforcement information to a drug trafficker concerning a Detroit Police Department investigation of that drug trafficker. Most disturbing, the Defendant revealed to the drug trafficker that law enforcement had a confidential informant within the trafficker's drug organization. This dangerous breach of duty and trust by the Defendant demands significant punishment through a period of imprisonment. While leaking law enforcement information to the drug trafficker and advising the trafficker as to how to defeat law enforcement, the Defendant

enjoyed the fruits of the trafficker's drug proceeds. The Defendant borrowed the trafficker's Cadillac Escalade, Range Rover, and Corvette, and the Defendant was wine, dined, and clubbed by his buddy the drug trafficker. The Defendant also borrowed money and jewelry. The Defendant's willingness to breach his oath as a police officer because of friendship and in return for fancy cars and free drinks also is deserving of punishment.

The Defendant's crime was extremely serious and a gross breach of the law and his oath as a police officer. The punishment of the Court should send a clear message to the Defendant and other law enforcement officers that such conduct cannot and will not be tolerated. This case is an important instance of the need to deter other police officers from breaking the law and assisting their friends who break the law. As a result, a sentence of imprisonment is needed because of the seriousness of the crime, the need for general deterrence, and the need to promote respect for the law. Finally, the public needs to know that law enforcement officers who break the law will be punished.

I. The Defendant Should Be punished For His Serious Crimes

The Defendant's criminal acts as a police officer were serious crimes, and his criminal conduct took several different forms. First, in December 2010, the Defendant revealed to drug trafficker Deshon Catchings that Catchings was the target of a Detroit Police Department Narcotics Squad investigation. The

conversation between the Defendant and Catchings was captured over a DEA wiretap. The Defendant urged Catchings to lay low while the police investigation was ongoing. In the end, Catchings ignored the Defendant's advice and proceeded with his drug trafficking activity.

The Defendant's leaks of law enforcement information to Catchings were not limited to simply telling Catchings that he was under investigation. Instead, soon after learning of the existence of the investigation, the Defendant actually told Catchings that the police had a confidential informant in Catching's organization. Although the Defendant did not know the exact identity of the informant, the Defendant knew that the informant had recently been arrested by the police. The Defendant revealed that fact to Catchings, thereby placing the informant in danger. In fact, the Defendant also placed another co-conspirator of Catchings who had recently been arrested in danger if Catchings had taken action against him believing him to be the informant revealed by the Defendant.

The Defendant's tip to Catchings about the police informant was captured over the DEA's wiretap. During a telephone call between the two, the Defendant told Catchings that he had "bad news" for him, that "somebody snitching." The Defendant told Catchings that a police officer from the Narcotics Squad investigating Catchings told the Defendant that the police had an informant in Catchings' organization. The Defendant told Catchings the police officer had told

the Defendant that “he got a real source really connected to him [Catchings].” The Defendant told Catchings that his police source did not know who the “snitch” was, but “he said he gonna talk to him later on then gonna call me. He said he called him about it last night so he said he gonna talk to him later, then he gonna hit me up. He ain’t gonna tell me who though. If it’s the dude’s source he not gonna tell who it is.” The Defendant then told Catchings that he (Coody) would show Catchings the text message that the Defendant had received about the “snitching.” The Defendant then told Catchings that the snitch is “somebody” who “got popped lately.”

Obviously, law enforcement information about a confidential informant inside a drug trafficking organization is extremely sensitive and dangerous information. The fact that the Defendant was willing to reveal the existence of an informant to the drug dealer who was the target of the investigation demonstrates that the Defendant had no regard for his oath as a police officer or for the life or safety of the confidential informant who was assisting the police in their investigation. The Defendant’s actions perpetuate the “no-snitch” culture harming Detroit.

The Defendant also provided advice to Catchings about law enforcement techniques used to investigate drug dealers. For example, the Defendant identified the types of surveillance vehicles used by the Detroit Narcotics squad. The Defendant provided advice about various false explanations that Catchings could

use to explain away amounts of cash seized by the police from Catchings' money couriers. The Defendant identified particular vehicles that could not have police tracking devices attached to their underbodies. The Defendant told Catchings this information so that Catchings would know that he could not be tracked if he used that particular vehicle. The Defendant also provided advice about hidden compartments or "traps" in cars used by drug dealers to transport drugs. The Defendant told Catchings that Michigan State Police drug dogs were of a much higher quality than Detroit police dogs. Finally, the Defendant used his influence as a police officer to fix six or seven traffic tickets that Catchings had received for various offenses, including for loud music, for having tinted windows, and for failing to have proof of insurance.

Contrary to the claim in the Defendant's sentencing memorandum (Defendant's Memorandum at 3), the Defendant and Catchings were not "childhood friends." Instead, the Defendant met Catchings at a barbershop in 2005 or 2006. The Defendant admitted to FBI agents that soon after meeting Catchings at the barbershop, the Defendant became aware that Catchings was a drug dealer, and the Defendant then chose to become friends with him.

The Defendant's actions as a police officer in concealing and protecting Catchings from police investigations were serious crimes. They are deserving of

serious punishment. A sentence of probation as suggested by the defense would not constitute such a serious punishment.

II. Other Police Officers Need to Be Deterred From Breaking the Law

The sentence imposed on defendant Coody must be sufficient to deter other police officers from breaking their oaths and assisting their friends who are criminals. Although it appears that there is little need to deter defendant Coody from future criminal acts, there is a strong need to send a decisive message to other police officers that they will receive serious punishment if they abuse their positions of trust. Every day, law enforcement officers face the temptation of abusing their positions of power and public trust. The community of law enforcement officers around southeast Michigan and around the state will know exactly the nature of the sentence that this Court imposes in this case. A sentence of imprisonment will send a strong message to police officers in southeast Michigan to ensure that they maintain their oaths and not abuse their positions of trust. Police officers wield immense power, and a sentence of imprisonment for defendant Coody will help to deter corrupt decisions from being made in wielding that power.

III. The Sentence Imposed Should Promote Respect for the Law

Given the Defendant's position as a law enforcement officer, it is important that the Court's sentence promote respect for the law. A sentence of imprisonment

would demonstrate that no one is above the law, no matter their position as a police officer. In fact, police officers should be held to a higher standard given their positions of trust, power, and responsibility.

The Court also should note that the Defendant's criminal conduct was not limited to assisting his drug-trafficking friend. During the course of the FBI's wiretap on the Defendant's telephone, which followed the DEA's initial wiretap, it was discovered that the Defendant was purchasing snow plow equipment that he knew to have been stolen. The Defendant was using the equipment, including a salt spreader and a plow, in his snow removal side business. This activity resulted in the Defendant's 2011 conviction for receiving stolen property reflected in Paragraph 26 of the PSR. This conviction shows that the Defendant's criminality has not merely been based on friendship, but was instead more widespread and based additionally on greed and self-interest.

IV. Conclusion

The United States respectfully requests that the Court impose a sentence of imprisonment. Such a sentence would deter other police officers, is necessary given the seriousness of the Defendant's crimes, and would be just punishment for

his crimes. People need to know that police officers are not above the law, and they should be punished to at least the same degree as other citizens who commit crimes.

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Dated: June 17, 2014

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2014, I caused the foregoing document to be filed with the Clerk of the Court, and caused a copy of this document to be served on the following:

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